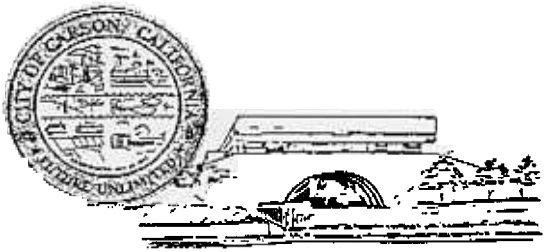


OFFICE OF THE CITY MANAGER

**CITY OF CARSON**

July 20, 2004

Ms. Bonnie Cornwall
Acting Branch Manager
Used Oil and Household Hazardous Waste Branch
California Integrated Waste Management Board
P.O. Box 4025
1001 "I" Street
Sacramento, CA 95812-4025

Dear Ms. Cornwall:

As you may be aware, the City of Carson has recently experienced some personnel changes in our Public Works Department due to the recent retirement of our Acting Waste Management Specialist. These changes have resulted in an apparent miscommunication of the whereabouts of our grant application for the 10th Cycle Used Oil Block Grant.

It is my understanding after discussions with staff that the original application was submitted in accordance with the published grant guidelines. Unfortunately, upon the departure of the Acting Waste Management Specialist from the City, all access to electronic data files and email was eliminated from the City's network in accordance with City policy. As a result, we do not have access to the original electronic data and files relating to the submission of the UOBG-10.

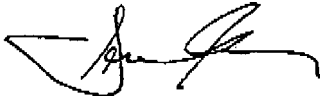
Due to the lack of verifiable data regarding the exact submission date of the City's application, it was brought to our attention on July 14, 2004 via an email notification from Ms. Wendy Roberson of California Integrated Waste Management Board (CIWMB) that the City of Carson did not submit an application for funding under the 10th Cycle Used Oil Block Grant funding announcement. As you can imagine, this information came as a surprise due to an email that was sent from the CIWMB on July 2, 2004, congratulating the City of Carson as CIWMB received the application with a Notice to Proceed information. Relying on this information, we have no reason to doubt that our original application for 10th Cycle Used Oil Block Grant funding had not been received by CIWMB. Our history of compliance with all previous CIWMB and grant related guidelines clearly demonstrates that the City in past action have always complied with previous funding requests and parameters.

At this juncture, the City of Carson respectfully requests that CIWMB reconsiders accepting our application for funding with consideration of the abovementioned facts and circumstances.

Should you have any questions or require additional information, please do not hesitate to Denny Bacon, Waste Management Specialist, at (310) 847-3528.

Respectfully,

CITY OF CARSON

A handwritten signature in black ink, appearing to read 'Jerry G. Groomes', written over a horizontal line.

JERRY G. GROOMES
City Manager

cc: Victor Rollinger, A/Development Services General Manager
Uli Fe'esago, Public Works Superintendent
Denny Bacon, Waste Management Specialist

From: Rick Fulmer [rickf@ci.carpinteria.ca.us]
Sent: Thursday, July 29, 2004 10:14 AM
To: Cornwall, Bonnie
Cc: 'Dale E. Lipp'; Monique Epley
Subject: Carpinteria BG 10 Appeal

The City of Carpinteria wants to appeal the disqualification of our grant application. The grant package was completed and mailed six days prior to the closing date and received by your department eight days after it was mailed. I understand that our application was not the only one that was disqualified and this item will be reviewed by the board in August. Thank you for your assistance with this matter.

From: Angela Williams [awilliams@cityofinglewood.org]
Sent: Wednesday, July 28, 2004 5:30 PM
To: Cornwall, Bonnie
Subject: Inglewood BG10 Appeal

Attention: Bonnie Cornwall

Please include the City of Inglewood in the appeal process for the Used Oil Recycling Block Grant 10th Cycle, as our application was mailed on time, however it was received by your office after the date. We are also available for the August board meeting if necessary.

Looking forward to hearing from you in this matter.

Thank you for your consideration .

Angela Williams
City of Inglewood
Department of Public Works / Environmental Services
310/412-5333 or 412-8722

JUN 28 2004



DEVELOPMENT SERVICES DEPARTMENT

303 West Commonwealth Avenue, Fullerton, California 92832-1775

Telephone • (714) 738-6540
Fax • (714) 738-3110
Web site • www.ci.fullerton.ca.us

June 24, 2004

VIA FAX AND MAIL

James Lee
Deputy Director
Used Oil Program, Floor 9
California Integrated Waste Management Board/Special Waste Division
P.O. Box 4025
Sacramento, CA 95812-4025

SUBJECT: 2004/2005 Used Oil Recycling Block Grant Application (10th Cycle)

Dear Mr. Lee:

The City of Fullerton respectfully requests your consideration of our application for the 10th Cycle Used Oil Block Grant, enclosed. Our application was returned to us with a notice of disqualification stating that the application was received on June 2.

The deadline of 5pm June 1 was clearly communicated in the Grant material. Our application was mailed on May 27, 2004, allowing three business days prior to the deadline. It was our reasonable expectation that this was sufficient time to meet this deadline. The Grant Application did not indicate that possible delays existed within the California Integrated Waste Management Board mail delivery system that would cause the disqualification of our application.

The City of Fullerton has continuously participated in the Used Oil Block Grant program and we are looking forward to continuing to promote used oil recycling in our community. Please feel free to contact me directly at (714) 738-6554.

Sincerely,

A handwritten signature in black ink that reads "Joel W. Rosen". The signature is fluid and cursive.

Joel W. Rosen, AICP
Chief Planner

Attachment

From: Barbara Kraber [bkraber@ci.lemon-grove.ca.us]
Sent: Tuesday, July 13, 2004 5:37 PM
To: Cornwall, Bonnie
Subject: BG10 Appeal Lemon Grove

Ms Cornwall,

Lemon Grove was among those BG10 applicants whose application package was not received by the CIWMB in a timely manner. Upon inquiring with your office, I was told that there was no appeal process, confirming the application cover letter, so had not pursued the matter further.

I now understand that there may be an appeals process. Lemon Grove requests any and all information that may assist us in that process.

I hope you understand how devastating a loss like this can be to a small city. We did, in fact, mail the application in a timely manner, but did not spend extra public dollars for special handling. In our view a "received by" deadline is appropriate for competitive applications, but not for block grant funding. In addition, this year's process, by selecting the end of a three day holiday weekend as the due date, adds an unreasonable burden for already strapped local agencies.

We certainly appreciate any opportunity to reclaim these funds.

Thank you,

Barbara

Barbara Kraber, Management Analyst
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945-1705
ph. 619-825-3800, ext. 3913
fax 619-825-3804
bkraber@ci.lemon-grove.ca.us

7/29/2004



SF Environment

Our home. Our city. Our planet.



GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

California Integrated Waste Management Board
Used Oil Recycling Program
1001 I Street
Sacramento, CA 95812-4025

ATTN: Mr. Mark Leary, Executive Director

June 27, 2004

Dear Mr. Leary;

mark

I have recently been informed by our Toxics Reduction Program Manager, Debbie Raphael, that we will not be eligible for a 10th Cycle Used Oil Block grant. Due to a misunderstanding between the CIWMB grants manager for that program and the SF Environment staff member assigned to the project, we missed the deadline for submitting the application package. I am extremely concerned about the fiscal ramifications for the City and County of San Francisco if we lose this funding. I believe our intentions with regard to meeting grant deadlines and requirements were sincere and I hope that you will help me in appealing this decision before the Integrated Waste Management Board.

According to Sf Environment's Used Oil Coordinator, Nisha Chauhan, the following steps were taken in preparation for the timely submission of documents required for 10th Cycle Block Grant funding.

April 2004 – Ms. Chauhan initiated the process for a resolution from the San Francisco Board of Supervisors authorizing SF Environment to apply for, accept and expend Used Oil Block Grant funds. She also completed the Used Oil Block Grant 10th cycle application but did not send it in. Ms. Chauhan conferred with SF Environment's Grants and Fundraising Coordinator about the resolution process and was informed that because of the City's current fiscal crisis the turnaround time for resolutions was longer than normal. They discussed various options and the Grants and Fundraising Coordinator called the CIWMB Grants Manager, Cheryl Williams to see if the section of the City's administrative code which exempted on-going grants that are included in the City's annual budget from a formal resolution process could preclude the need for a resolution. After conferring with CIWMB staff, Ms. Williams responded that a resolution from the Board of Supervisors regarding 10th Cycle funds would still be required.

- May 2004 – Ms. Chauhan worked with the SF Environment's Grants and Fundraising Coordinator to submit the required resolution to the Board of Supervisors. She followed up to ensure that the resolution would be received by May 20th. This was her self-directed deadline to ensure the CIWMB June 1st, 2004 deadline would be met.
 - Ms. Chauhan contacted Ms. Williams, to express her concern that SF might not obtain the resolution from the Board of Supervisors in time to meet the CIWMB's June 1st, 2004 deadline.
 - Ms. Williams informed her that there were other jurisdictions having the same problem. When Ms. Chauhan asked if the CIWMB wanted to receive the unsigned Resolution by the June 1st

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deadline, Ms. Williams responded that it would be better to send the Resolution when all forms were completed and signed. By the end of the conversation, Ms. Chauhan had interpreted these instructions to mean that the CIWMB wanted the application and resolution together at the same time, even it was after the June 1st deadline.

Ms. Chauhan continued to check with our Grants and Fundraising Coordinator on a bi-weekly basis to track the status of the resolution.

June 2004 – Ms. Chauhan called the Grants and Fundraising Coordinator every day to check up on the status of the resolution.

- On June 9th, 2004 Ms. Chauhan received an email from the Grants and Fundraising Coordinator that the resolution had been adopted and was now posted on the Board of Supervisor's website. Ms. Chauhan immediately phoned Ms. Williams and left a message telling her that the resolution was completed and that she would be mailing the entire application packet out that day.
- Ms. Williams returned the call and left a message indicating that there was a problem because the CIWMB have not received our application before the June 1st deadline.
- It then became clear to Ms. Chauhan that there had been a serious misunderstanding regarding the submission of application materials versus the resolution. Ms. Chauhan called Ms. Williams to try and clear up the misunderstanding and was told that only an action of the Integrated Waste Management Board would allow San Francisco to receive 10th Cycle Block Grant funds.

The City and County of San Francisco has been exemplary in its use of Used Oil Recycling funds to operate outreach, education and collection events. Our programs have been recognized by the CIWMB for both innovation and effectiveness. SF Environment uses these Block Grant funds to support collection efforts throughout the City as well as the Port of San Francisco. Budget shortfalls at the Port have made Block Grant funding critical to the on-going maintenance of used oil collection efforts. While the fiscal impact of a loss of 10th Cycle funding to our 04/05 programming will be relatively minor (a \$50,000 loss) during 05/06 Used Oil collection programs will be significantly impacted (a \$200,000 loss). SF Environment has engaged in a long range planning process around the use of the non-competitive Block Grant funds and programs such as the marina collection programs at the Port and curbside collection efforts will be hard hit by the loss of 10th cycle grant funds during 05/06. Based on current collection rates, such a significant loss in funding could result in 14,000 gallons of oil being lost to the recycling system.

I understand that there is a process whereby the Integrated Waste Management Board will review such cases as this and we would like to go before the Board to see if they will grant an exception to this deadline. I also understand that this will require no small effort on the part of the Used Oil Program staff to assist us in this course of action and I thank you in advance for your support.

Please do not hesitate to contact me if you have any questions. I look forward to hearing from you regarding next steps in this process.

Sincerely,



Jared Blumenfeld
Director